



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

January 29, 2010

LUCY BAXLEY, PRESIDENT

JAN COOK, ASSOCIATE COMMISSIONER

SUSAN D. PARKER, PhD, ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.

SECRETARY

MEMORANDUM

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THRU: Judy McLean, Director
Advisory Division *JML*

FROM: Aquilla Spivey, Manager *AS*
Consumer Services

SUBJECT: Monthly Commission Meeting

The following items will be presented to the Commission during the regular monthly meeting to be held on Tuesday February 2, 2010:

Monthly Activity Report of complaints, inquiries, meetings and field investigations.

Alabama Public Service Commission

Report Date: 1/29/2010

Consumer Service Section

Monthly Activity Report

Between 1/1/2010 And 1/29/2010

Utility Company Code	Needs Service	High Bills	Deposit	Service Problems	Payment Arrangement	Denied Toll	Slamming	Cramming	Billing Problems	Non-Pay Disconnect	900/Pay Per Call	No Jurisdiction	Other	Inquiries	Total
Alabama Power		48	1	2					17			2	4	40	114
Alagasco	1								16			1		18	36
Ardmore															
AT & T Southeast	1			29		1		1	15			1	6	8	62
Castleberry															
CenturyTel				3					3					2	8
Deltacom									1						1
Farmers															
Floral															
Frontier				1											1
Graceba															
Gulf															
Hayneville															
Knology of Valley															
MCI															
Millry															
Mobile Gas Service														2	2
Mon-Cre															
Moundville															
National															
New Hope															
OTELCO															
Pine Belt															
Ragland															
Roanoke															
Sprint															
TDS Telecom															
Union Springs			1												1
Windstream															
Water Companies															
Local Resellers				2			1		2				1	2	8
Miscellaneous Inquiries															330
Misc Jurisdiction				2				14	1			1	1	5	24
900/Pay Per Call															
No Jurisdiction				4					5			1	3	9	22
Other															
Toll Resellers							1		1				1	1	4
TOTALS	2	48	2	43		1	2	15	61			6	16	87	613

Field Investigations - 2

Meetings Held/Attended - 1



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January 21, 2010

MEMORANDUM

TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

FROM: Janice M. Hamilton, Director
Energy Division

SUBJECT: Agenda - February 2, 2010 Commission Meeting

The Energy Division will present the following items at the February 2, 2010 Commission Meeting.

NATURAL GAS

ALABAMA GAS CORPORATION

Docket 18046 Division Report on Rate RSE as of December 31, 2009
and
18328

MOBILE GAS SERVICE CORPORATION

Docket 28101 Division Report on Rate RSE as of December 31, 2009

ELECTRICITY

ALABAMA POWER COMPANY

Docket 18117 Division Report on Rate RSE and Rate ECR as of December 31, 2009
and
18416;
18148

SUMMARY OF OTHER ENERGY FILING (S)

ALABAMA POWER COMPANY

Docket D-6535 Petition Seeking Approval of a New Contract for Electric Service with
Holcim (US) Incorporated

Status: Pursuant to Rate FCR, this Contract becomes approved 10 days
after the filing date, unless the Commission objects. Accordingly, the
Contract was deemed approved as of January 23, 2010.



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January 20, 2010

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SECRETARY

MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Alabama Gas Corporation as of December 31, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Alabama Gas Corporation for the twelve months ending December 31, 2009.

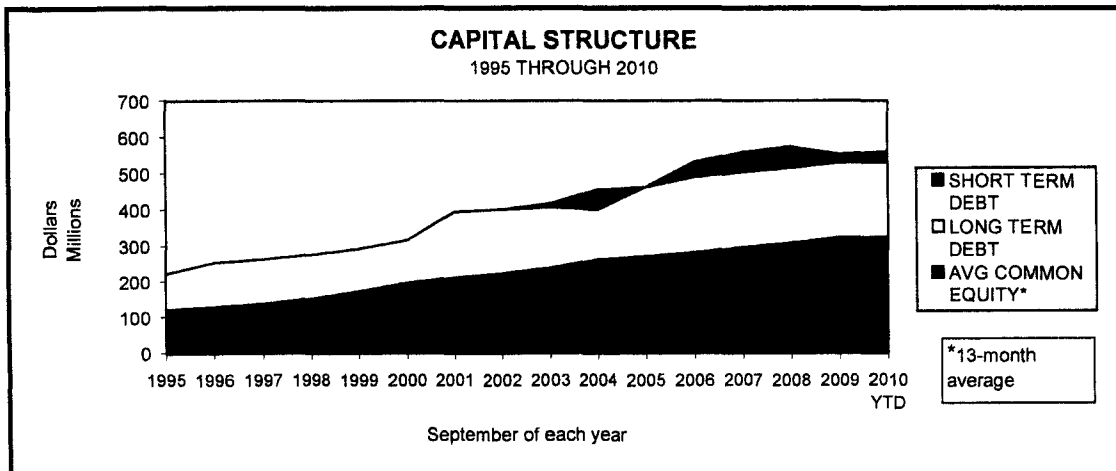
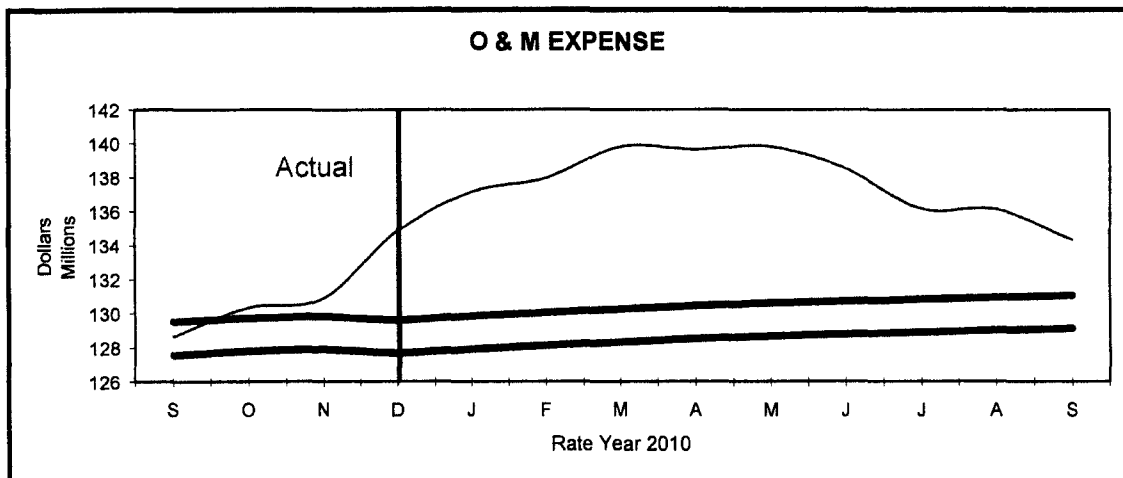
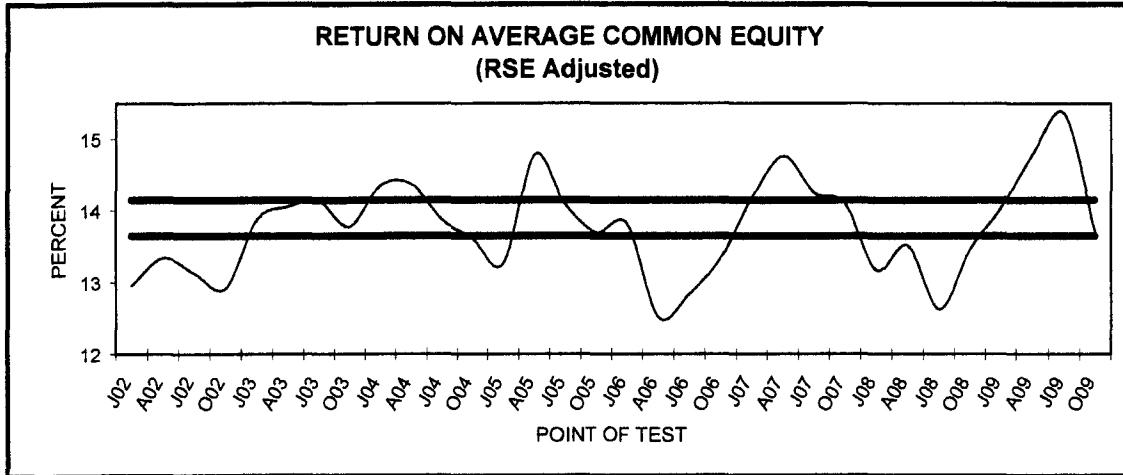
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending December 31, 2009, is 13.95 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 14.05 percent.

Return on Equity at December 2009		
	Financial	<i>RSE</i>
Average Common Equity	\$325,479,659	<i>\$325,479,659</i>
Net Income	\$45,414,695	<i>\$45,414,695</i>
Net Expense Adjustment		<i>\$310,126</i>
RSE Net Income		<i>\$45,724,821</i>
RSE Return on Common Equity	13.95%	<i>14.05%</i>

Attachment:

ALABAMA GAS CORPORATION

December 2009





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MEMORANDUM

To: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

Through: Janice M. Hamilton, Director
Energy Division

From: Robert E. Reed, Manager
Natural Gas Section

Subject: Division Report on Rate RSE for Mobile Gas Service Corporation as of December 31, 2009

As part of the Division's monitoring function, the staff has developed the return on average common equity for Mobile Gas Service Corporation for the twelve months ending December 31, 2009.

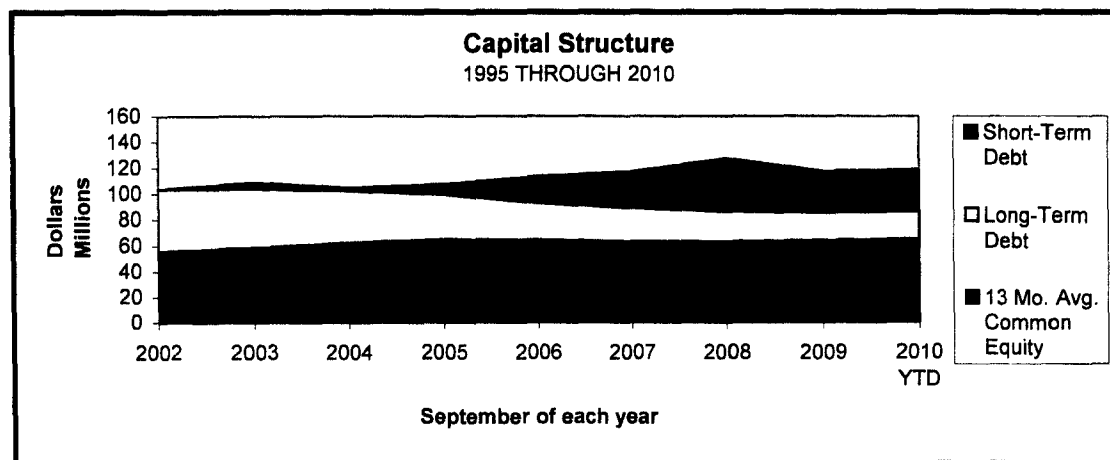
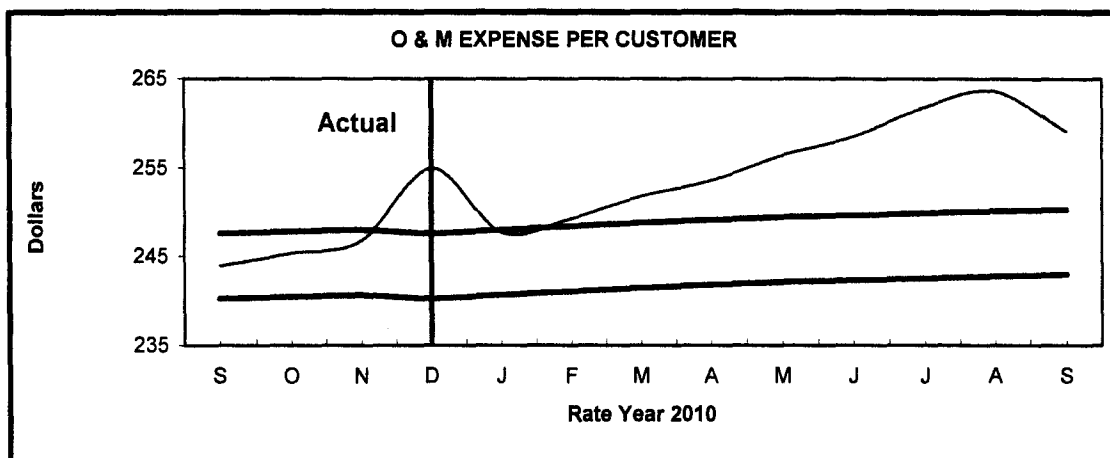
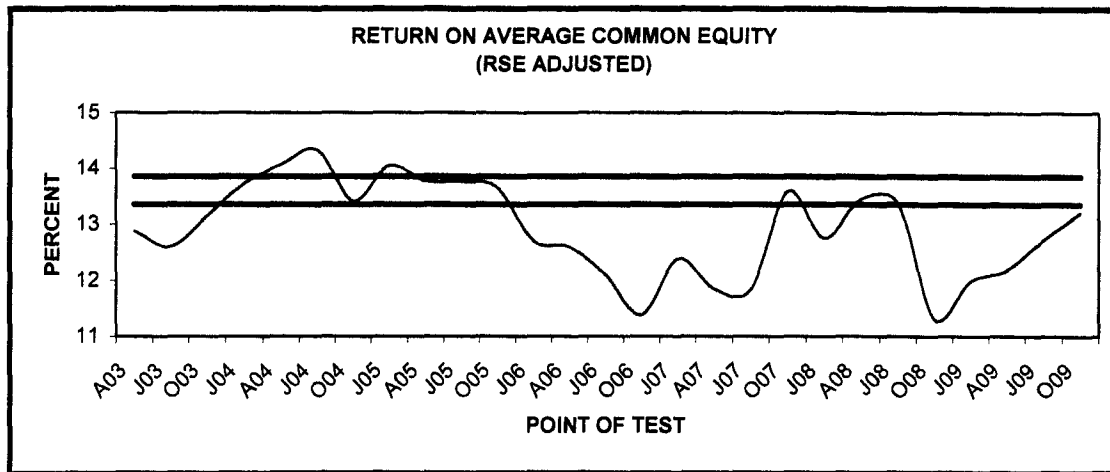
Based on preliminary figures, the return on average common equity for financial reporting purposes for the twelve months ending December 31, 2009, is 12.4 percent. When club dues, donations, and lobbying expenses are added, the RSE return is 12.6 percent.

Return on Equity at December 2009		
	Financial	RSE
Average Common Equity	\$65,160,179	\$65,160,179
Net Income	\$8,051,383	\$8,051,383
Net Expense Adjustment		\$129,137
RSE Net Income		\$8,180,520
RSE Return on Common Equity	12.36%	12.55%

Attachment:

MOBILE GAS SERVICE CORPORATION

December 2009





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SECRETARY

MEMORANDUM

TO: President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

THROUGH: Janice M. Hamilton, Director
Energy Division

FROM: Bernard W. Givan, Manager
Electricity Section

SUBJECT: Division Report on Rate RSE and Rate ECR for Alabama Power Company as of
December 31, 2009

The Energy Division performed the regular monthly examination of the books and records of Alabama Power Company. The financial highlights are presented in the tables below:

Rate RSE Forecast
12 Months Ending DECEMBER 31, 2009
13.62%

Rate ECR Summary	
Recovery for DECEMBER 2009	Balance as of DECEMBER 31, 2009
\$38,503,045 Over-Recovered	\$199,618,846 Over-Recovered

The attached report, prepared for review by the Commission, presents the Energy Division's computations and determinations of the December 2009 Retail Return on Average Common Equity. In addition, the current and projected status pertaining to the accumulated Over and Under Recovery for Rate ECR is presented.

ENERGY DIVISION

**Alabama Power Company
Forecast of Retail Return on Average Common Equity
For the 12 Months Ended December 31, 2009**

Common Equity as of December 31, 2009	\$5,241,806,641
Average Common Equity For the 12 Months Ended December 31, 2009	\$5,008,449,087
Retail Investment Separation Factor	89.24%
Average Retail Common Equity For the 12 Months Ended December 31, 2009	\$4,469,539,965
Retail Net Income For the 12 Months Ended December 31, 2009	\$608,965,565
Retail Return On Average Common Equity For the 12 Months Ended December 31, 2009	13.62%

ENERGY DIVISION

**Alabama Power Company
Forecast of Energy Cost Recovery
For the Period Ended December 31, 2009**

	Energy Cost (\$/MWH)		ECR Seasonal Factor (\$/MWH)	Over/(Under) Recovery	
	Month	12 Months Ended		Month (\$)	Cumulative (\$)
JAN 08 Act	28.46	27.63	29.472	(188,721)	(280,053,856)
FEB 08 Act	25.27	27.56	29.472	23,607,986	(256,445,869)
MAR 08 Act	20.74	27.41	29.472	34,208,587	(222,237,282)
APR 08 Act	22.45	27.02	29.472	29,229,360	(193,007,922)
MAY 08 Act	24.11	26.79	29.472	12,325,990	(180,681,932)
JUN 08 Act	36.34	27.59	33.418	(24,664,734)	(205,346,666)
JUL 08 Act	37.78	28.72	33.418	(33,878,517)	(239,225,183)
AUG 08 Act	37.80	28.92	33.418	(18,318,995)	(257,544,178)
SEP 08 Act	43.80	30.51	33.418	(43,112,535)	(300,656,713)
OCT 08 Act	37.79	31.10	37.866	(6,656,296)	(307,313,009)
NOV 08 Act	41.92	32.16	37.866	(21,274,681)	(328,587,690)
DEC 08 Act	33.40	32.80	37.866	22,954,887	(305,632,803)
JAN 09 Act	32.14	33.13	37.866	17,588,864	(288,043,939)
FEB 09 Act	29.23	33.48	37.866	46,249,431	(241,794,508)
MAR 09 Act	23.72	33.80	37.866	52,791,864	(189,002,644)
APR 09 Act	27.98	34.27	37.866	30,703,964	(158,298,681)
MAY 09 Act	25.20	34.42	37.866	36,175,778	(122,122,904)
JUN 09 Act	34.09	34.19	40.242	20,010,617	(102,112,288)
JUL 09 Act	29.26	33.32	40.242	50,306,061	(51,806,227)
AUG 09 Act	31.82	32.72	40.242	40,669,269	(11,136,958)
SEP 09 Act	26.39	31.10	40.242	65,908,449	54,771,491
OCT 09 Act	21.26	29.80	35.490	61,913,104	116,684,595
NOV 09 Act	21.90	28.27	35.490	44,431,206	161,115,801
DEC 09 Act	24.62	27.54	35.490	38,508,045	199,618,846

The estimates used in the above table are subject to change due to uncertainties associated with weather, customer usage patterns, and economic conditions across the state.



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MEMORANDUM

DATE: January 21, 2010

TO: Commissioner Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker

FROM: Darrell A. Baker
Telecommunications Division *DAB*

SUBJECT: Agenda for February 2, 2010 Commission Meeting.

The following items will be presented to the Commission during the regular February 2, 2010 Commission Meeting.

INTERCONNECTION AGREEMENT (S)

Docket U-3977 BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T ALABAMA or AT&T SOUTHEAST and DPI TELECONNECT, LLC -- Approval of the Interconnection Agreement negotiated by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama and dPi Teleconnect, LLC pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. Recommend Approval.

CANCELLATION/WITHDRAWAL (S)

Docket 25948 CHARLES MOSS d/b/a MOSS COMMUNICATIONS -- Discontinues the provision of Customer Owned Pay Telephone service in the state of Alabama. Recommend Approval.

NAME CHANGE (S)

- Docket 25486 PNG TELECOMMUNICATIONS, INC. d/b/a POWERNET GLOBAL COMMUNICATIONS -- Changes the Company name to PNG Telecommunications, Inc. d/b/a PowerNet Global Communications d/b/a Cross Connect d/b/a Thr!ve Communications.
Recommend Approval.
- Docket 28027 TOTAL CALL INTERNATIONAL, INC. -- Changes the Company name to Total Call International Inc d/b/a Amigos Telecom, d/b/a Key Pad, and d/b/a Star International Alliance.
Recommend Approval.

MISCELLANEOUS

- Docket 30934 ALL TELECOMMUNICATIONS COMPANIES -- Registration of Third-Party Providers for Telecommunications Billings. Third-Party Providers and Billing Aggregators request approval of their registration with the Commission for purposes of including their charges on the consumer bills of regulated telecommunications carriers.
Recommend Approval.

SUMMARY OF OTHER FILING (S)

- D-6530 ENHANCED COMMUNICATIONS GROUP, L.L.C. d/b/a ECG -- Adds a new monthly recurring charge, and increases a monthly recurring charge for fixed service rates. Filed December 21, 2009, with a requested effective date of January 22, 2010.
- D-6531 CHARTER FIBERLINK-ALABAMA, LLC -- Introduces a charge for adding an additional new phone jack with new installation, increases the rate for reconfiguring an existing phone jack, and decreases the rate for non-pay reconnection. Makes minor textual changes related to service and equipment charges. Filed December 14, 2009, with a requested effective date of December 21, 2009.

- D-6532 CENTURYTEL OF NORTHERN ALABAMA -- Introduces provisions in the Access Services Tariff for jurisdictional determination requirements which include setting a floor for unidentified intralata traffic for Feature Group D terminating access minutes when they lack originating number information needed to determine the jurisdiction. Filed December 17, 2009, with a requested effective date of January 15, 2010.
- D-6533 CENTURYTEL OF SOUTHERN ALABAMA -- Introduces provisions in the Access Services Tariff for jurisdictional determination requirements which include setting a floor for unidentified intralata traffic for Feature Group D terminating access minutes when they lack originating number information needed to determine the jurisdiction. Filed December 17, 2009, with a requested effective date of January 15, 2010.
- D-6534 DELTACOM, INC. -- Increases Tandem Connect Access rates and Direct Connect Access rates in the Switched Access Services Tariff. Filed December 18, 2009, with a requested effective date of December 22, 2009.
- D-6536 NATIONAL TELEPHONE OF ALABAMA, INC. -- Deletes requirements regarding the extension of service to businesses in accordance with the provisions of paragraph 37-2A-8(a)(1) of the Communications Reform Act of 2005 as amended by Public Act 2009-461. Filed January 14, 2010, with a requested effective date of January 15, 2010.
- D-6537 GTC, INC. d/b/a FAIRPOINT COMMUNICATIONS -- Deletes requirements regarding the extension of service to businesses in accordance with the provisions of paragraph 37-2A-8(a)(1) of the Communications Reform Act of 2005 as amended by Public Act 2009-491. Filed December 28, 2009, with a requested effective date of December 29, 2009.



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SECRETARY

MEMORANDUM

DATE: January 21, 2010

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Agenda - February 2, 2010 Commission Meeting

The Legal Division will present the following at the February 2, 2010 Commission Meeting:

DOCKET C-15803 (M) - Petition of J & N Construction, Inc. for approval of cargo self-insurance.

Recommend: Approval

DOCKET C-15695 (M) - Petition of Blue Heron Auto Rental, LLC for reinstatement of Motor Carrier Certificate 3904 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 29849 (M) - Petition of Colbert Bryan McGriff, d/b/a Bear Creek Movers to recommence operations under Motor Carrier Certificate F3361. Motor Carrier Certificate F3361 suspended for a period of one year by Commission Order entered in this proceeding on January 8, 2009.

Recommend: Grant petition to recommence operations subject to Bear Creek Mover's filing with the Commission proper proof of liability and cargo insurance coverage.

DOCKET C-15651; (M) - Petition of Franklin Tire & Auto, Inc. for cancellation of Motor Carrier Certificate F3592 (Docket 30175). Motor Carrier Certificate F3592 was revoked by Commission Order dated October 6, 2009 (Informal Docket C-15651) for failure of Petitioner to maintain proper proof of liability insurance coverage.

Recommend: Vacate revocation order/Reinstate Motor Carrier Certificate F3592 for the sole purpose of cancelling in good standing/Grant petition for cancellation.

DOCKET 30914 (G) - Petition of Estes Transport Company for cancellation of Motor Carrier Certificate F4090.

Recommend: Grant cancellation as requested

DOCKET 31223 (M) - Petition of Kevin McCarley & Jonathan Barclay, d/b/a Southern Comfort Limousine for reinstatement of Motor Carrier Certificate 3952 which was revoked due to Petitioner's failure to timely file proof of liability insurance, a tariff, and obtain registration numbers. The required filings have now been made.

Recommend: Vacate revocation order/reinstatement

DOCKET C-15662 (G) - Petition of Mitchell Trucking, LLC for reinstatement of Motor Carrier Certificate F3291 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

Recommend: Grant/Reinstatement

DOCKET 31244 (G) - Petition of Changing Your Latitude, LLC, d/b/a New Latitude for an extension of time to file a tariff and obtain registration numbers as required by Commission Order dated October 8, 2009.

Recommend: Grant 90-day extension of time for submitting the required filings.

DOCKET 31131

(G) - Motor carrier application of West Alabama Health Services, Inc., d/b/a West Alabama Public Transportation Operated by WAHS, Inc. ("WAHS" or the "Applicant") to extend an existing passenger carrier operation under Motor Carrier Certificate 3237. The application was protested at hearing by Fresh Air Accessible of Alabama, LLC. A Report and Recommended Order ("RRO") recommending denial of the application was served on October 19, 2009. The Applicant filed Exceptions to the RRO on or about November 9, 2009.

Recommend: Denial of application as recommended in the RRO. The Applicant did not have any public witnesses to support the additional authority sought to transport passengers in Bibb County. Further, the Applicant only sought to provide service to/for The Bibb County Commission which can be performed pursuant to a nonprofit certificate that can be obtained without a hearing. WAHS is in the process of obtaining such nonprofit authority with the Commission.

DOCKET 27231

(G) - Petition of Global Connection, Inc. of America ("Global") for designation as an eligible telecommunications carrier for purposes of receiving federal universal service funding for the provision of Lifeline and Link-up service. The designation sought is for the service territories of BellSouth Telecommunications, Inc., d/b/a AT&T Alabama; CenturyTel of Alabama, LLC; Frontier Communications of Alabama, LLC; Frontier Communications of Lamar County, LLC; Frontier Communications of the South, LLC; and Windstream Alabama, LLC.

Recommend: Grant of Petition as no party filed comments opposing Global's request.

DOCKET 31291

(G) - Application of Reunion Communications, Inc. for a certificate of public convenience and necessity authorizing the provision of resold long distance telecommunications service in the State of Alabama. No party intervened in the hearing held on this matter though staff from the Commission's Telecommunications Division did participate in the proceeding.

Recommend: Grant

DOCKET 31325 In re: Delinquent Companies. Numerous telecommunications, gas pipeline, water, wastewater and railroad entities certified by this Commission have failed to timely pay Inspection and Supervision fees for 2009 despite at least two (2) written notices.

Recommend: Institution of a proceeding in this cause to revoke the operating authority of each entity that does not appear at a show cause hearing and/or pay their Inspection and Supervision fees.



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WALTER THOMAS JR.

SECRETARY

MEMORANDUM

DATE: January 27, 2010

TO: Commission President Lucy Baxley
Commissioner Jan Cook
Commissioner Susan D. Parker
Division Directors

FROM: Legal Division

SUBJECT: Supplemental Agenda (1) - February 2, 2010 Commission Meeting

The Legal Division will present the following at the February 2, 2010 Commission Meeting:

DOCKET C-15738 (M) - Petition of D & W Trucking Service, Inc for reinstatement of Motor Carrier Certificates F122 and P430 which were revoked due to Petitioner's failure to maintain proper proof of cargo insurance coverage.

Recommend: Grant/Reinstatement

DOCKET C-15750 (M) - Petition of Maji, LLC for reinstatement of Motor Carrier Certificate F3353 which was revoked due to Petitioner's failure to maintain proper proof of liability insurance coverage.

DOCKET 30394 (M) - Petition of Steven L. Law, Sr., d/b/a S.L.L. Trucking to suspend operations under Motor Carrier Certificate F3735 for a period of one year.

Recommend: Grant one-year suspension

DOCKET 31178 (M) - Application of Velocity The Greatest Phone Company Ever, Inc., for a Certificate of Public Convenience and Necessity to provide Local Exchange Service, Long Distance Interexchange Service, and Long Distance Resale Service within the State of Alabama. Hearing held, no intervention, staff participated.

Recommend: Approval

DOCKET 31249 (M) - Petition of Katz Enterprises, LLC for cancellation of Motor Carrier Certificate F4274.

Recommend: Grant cancellation as requested

DOCKET 31330 (G) - Trae Miller, III v. Adenus Utility, d/b/a Alabama Wastewater Systems ("Alabama Wastewater" or the "Company"). Mr. Miller has filed a formal complaint against Alabama Wastewater alleging that the Company has inappropriately back billed him for some sixteen months of septic service for which he does not legally owe. Mr. Miller also requested the issuance of a Temporary Injunction against Alabama Wastewater to, among other things, preclude Alabama Wastewater from disconnecting his septic service while his complaint is being adjudicated.

Recommend: Mr. Miller's Complaint has been served on Alabama Wastewater and a hearing will be established following the filing of Alabama Wastewater's Answer. Recommend the issuance of a Preliminary Injunction to maintain the status quo between the Parties until a determination is made on Mr. Miller's Complaint.